

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

V.

STEVEN M. BERESFORD, et al.,

Defendants.

Case No. C21-5345-JCC-SKV

ORDER RE: MOTION TO CORRECT

Defendant Steven Beresford, proceeding pro se in this civil action, filed a Motion to
Abate the Use of Irrelevant, Erroneous, Legal Precedent. Dkt. 70. The Court, having
considered the motion, along with the remainder of the record, herein finds and ORDERS as
follows:

(1) Defendant states that his Motion to Correct the Use of Irrelevant, Erroneous, Legal Precedent concerns the Court’s August 18, 2022 Report and Recommendation (R&R) and “the other documents stemming from it.” Dkt. 70 at 1 (discussing R&R at Dkt. 43). Defendant contends the R&R cited “irrelevant and/or erroneous” precedent and that continued reliance on that precedent “will be a serious miscarriage of justice.” *Id.*

Defendant is not entitled to the relief requested. As an initial matter, Defendant does not identify a rule allowing for the filing of his “motion to correct.” Further, to the extent construed

1 as either objections to the R&R or as a motion provided for in the rules governing civil
2 procedure, Defendant does not show he is entitled to relief. For example, the deadline for filing
3 objections or a motion for reconsideration has long since passed and Defendant's filing does not
4 include either proper objections or any basis for reconsideration. *See* Dkt. 43 (providing for
5 objections due on or before September 1, 2022) & Dkt. 46 (September 19, 2022 Order adopting
6 R&R); Local Civil Rule 7(h)(1) (motions for reconsideration must be filed within fourteen days
7 of the order to which the motion relates, are disfavored, and will be granted only upon a
8 "showing of manifest error in the prior ruling" or "new facts or legal authority which could not
9 have been brought to [the Court's] attention earlier with reasonable diligence.") Moreover,
10 Defendant appears to merely disagree with the Court's recommendations and ruling and, in large
11 part, reiterates arguments the Court previously found to lack merit and to have "long been
12 recognized as frivolous." Dkt. 43 at 4 (quoted source omitted). The Court also notes that
13 Defendant recently raised the same arguments in currently pending objections to another R&R
14 issued by the Court on January 18, 2023. *See* Dkts. 74 & 75.

15 In sum, and for the reasons stated above, Defendant's Motion to Correct the Use of
16 Irrelevant, Erroneous, Legal Precedent, Dkt. 70, is DENIED. Defendant is further advised that,
17 in future, any motion he seeks to pursue must be filed in accordance with this Court's Local Civil
18 Rules and with the Federal Rules of Civil Procedure, and that any improperly filed documents
19 may be stricken.

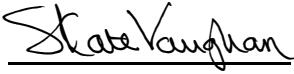
20 (2) The Clerk is directed to send copies of this Order to the parties and to the
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1 Honorable John C. Coughenour.

2 Dated this 6th day of February, 2023.

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S. KATE VAUGHAN
United States Magistrate Judge